

June 22, 2016

**VIA Overnight Delivery**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the FCC Secretary  
9300 East Hampton Drive  
Capitol Heights, MD 20743

DOCKET FILE COPY ORIGINAL

Received & Inspected

JUN 24 2016

FCC Mail Room

Re: WC Docket No. 14-58, *ETC Annual Reports and Certifications*  
Rate Floor Data Collection Form (OMB Control No. 3060-0986)

Dear Ms. Dortch:

Pursuant to 47 CFR § 54.313(h), Hawaiian Telcom, Inc. ("HTI") is providing the Commission with its completed and certified Rate Floor Data Collection Form (OMB Control Number 3060-0986). Copies of this report are also being submitted to the Universal Service Administrative Company, the Hawaii State Public Utilities Commission and to relevant tribal authorities, in accordance with CFR § 54.313(i) and/or the Hawaii Public Utilities Commission's Decision and Order in Docket 2011-0052, *Instituting a Proceeding for the Purpose of Amending the Annual Certification Requirements for Eligible Telecommunications Carriers in the State of Hawaii*.

HTI requests that the Commission keep the number of lines for each rate provided in the Rate Floor Data Collection Form confidential and not release the information to the public if requested.

**Statement pursuant to 47 C.F.R. § 0.459(b)**

**(1) Identification of the specific information for which confidential treatment is sought.**

Data regarding the number of customer lines for each rate.

**(2) Identification of the Commission proceedings in which the information was submitted or a description of the circumstances giving rise to the submission.**

HTI is providing the confidential information identified above in response to 47 C.F.R. § 54.313(h).

No. of Copies rec'd 0+1  
List ABCDE

Ms. Marlene Dortch  
June 22, 2016  
Page 2

**(3) Explanation of the degree to which the information is commercial or financial, or contains a trade secret or is privileged.**

The information contained in the attachment includes market share data which would be useful to any competitor in determining how to compete with HTI in its offering of telecommunications services.

**(4) Explanation of the degree to which the information concerns a service that is subject to competition.**

There is significant competition among telecommunications providers in the State of Hawaii.

**(5) Explanation of how disclosure of the information could result in substantial competitive harm.**

HTI's competitors could use the confidential and proprietary business information in determining the way in which they offer their services, including advertising therefor, thereby giving them an advantage in offering telecommunications services to the public.

**(6) Identification of any measures taken by the submitting party to prevent unauthorized disclosure.**

This information has been maintained on a confidential basis in company files that are not ordinarily accessible by the public except for the following disclosure. The number of customers by rate has also been previously filed with the Commission on a confidential basis. The same information will be provided to the Hawaii State Public Utilities Commission pursuant to a protective order under which the information is not released to the public, and the state commission maintains the confidentiality of this data.

**(7) Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties.**

The information would not ordinarily be disclosed to parties outside HTI, except to government agencies under a request for confidentiality.

**(8) Justification of the period during which the submitting party asserts that material should not be available for public disclosure.**

The material should be withheld from public disclosure as long as the data in question would provide a basis for competitors to gain insight into the business operations associated with HTI's telecommunications services.

Ms. Marlene Dortch  
June 22, 2016  
Page 3

**(9) Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted.**

Under applicable Commission and court rulings, the subject material must be kept free from public disclosure. Exemption 4 of the Freedom of Information Act shields information which is (1) commercial or financial in nature; (2) obtained from a person outside government; and (3) privileged or confidential. *See Washington Post Co. v. U.S. Department of Health and Human Services*, 690 F.2d 252, 266 (D.C. Cir. 1982). The attached information clearly satisfies the first two elements of that test. With respect to the third element of the above test, information is considered to be "confidential" if disclosure is likely, *inter alia*, to harm substantially the competitive position of the person from which the information was obtained. *National Park and Conservation Ass'n. v. Morton*, 498 F. 2d 765, 770 (D.C. Cir. 1974). As explained above, disclosure of the information would result in competitive harm because it would enable rivals to learn the business operations details associated with HTI's telecommunications offerings. Moreover, the data are "of a kind that the provider would not customarily release to the public." *Critical Mass Energy Project v. NRC*, 975 F.2d 871 (D.C. Cir. 1992).

Please contact Candace Donohoe at (808) 546-7730 if you have any questions pertaining to this filing.

Sincerely,



Candace Donohoe  
Sr. Manager – Regulatory Affairs

Enclosure

c: Universal Service Administrative Company

**RATE FLOOR DATA COLLECTION - OMB Control Number 3060-0986****Block 1 - Contact Information**

ROW #	DATA ELEMENT	FORMAT OF REQUESTED DATA	RESPONSE
1	Carrier Study Area Code	6 numeric digits	623100
2	Carrier Study Area Name	alpha characters	Hawaiian Telecom, Inc.
3	Service Provider Identification Number	9 numeric digits	143002709
4	Residential Local Service Charge Effective Date	mm/dd/yyyy	10/13/1997
5	Contact Name	alpha characters	Candace Donohoe
6	Contact Telephone Number (include area code)	9 numeric digits	808-546-7730
7	Sheet number	numeric digit(s)	1
8	Total Number of Sheets	numeric digit(s)	1

**Block 2 - Residential Local Service Rates, Fees, and Line Counts**

	Column 1 Residential Local Service Charge (Note 1)	Column 2 State Subscriber Line Charge	Column 3 State Universal Service Fee	Column 4 Mandatory Extended Area Service Charge	Column 5 Loops
9	\$ 16.02				REDACTED
10	\$ 13.90				REDACTED
11	\$ 14.57				REDACTED
12	\$ 13.90				REDACTED
13	\$ 11.01				REDACTED
14	\$ 12.07				REDACTED
15					
16					
17					

<-- Zone-1 -Oahu Island  
 <-- Zone-2 -Maui Island  
 <-- Zone-3 -Hawaii Island  
 <-- Zone-3 -Kauai Island  
 <-- Zone-4 -Lanai Island  
 <-- Zone-4 -Molokai Island

Note 1: Total Residential Local Service Charge includes tariff rate plus 11.23% Intrastate Surcharge, granted by the Hawaii Public Utilities Commission in Order No. 15999 in Docket 1994-02:

REDACTED FOR PUBLIC INSPECTION

This Public Version has been redacted to remove confidential and proprietary information.

TO BE COMPLETED BY THE REPORTING CARRIER, IF THE REPORTING CARRIER IS FILING RATE FLOOR DATA ON ITS OWN BEHALF:

**Certification of Officer as to the Accuracy of the Data Reported for the Rate Floor Data**

I certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the actual rate floor data reported ; and, to the best of my knowledge, the information reported on this form is accurate.

Name of Reporting Carrier		Hawaiian Telcom, Inc.	
Signature of authorized officer		Date 6/20/16	
Printed name of authorized officer		Steven P. Golden	
Title or position of authorized officer		Vice President, External Affairs	
Telephone number of authorized officer: ( 808 )546 - 3877, ext.			
Study Area Code of Reporting Carrier	623100	Filing Due Date for this form (mm/dd/yyyy)	7/1/2016